IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1085 OF 2006

Bipin Ramanand Gautam .. Applicant
V/s
The State of Maharashtra ..Respondent.

Mr. Mahesh B. Zanwar for the applicant
Miss S.D. Shinde A.P.P. for the State.

CORAM : V.M. KANADE, J.
DATE : 27TH MARCH, 2006.

P.C.

. Heard the learned Counsel for the applicant and the learned APP for the state.

2. The applicant was arrested in connection with the offence punishable under section 364, 307 r/w 34 of Indian Penal Code registered at C.R.No. 112/2005 at Dehu Road Police Station.

3. It is alleged that one boy by name Bablu Shaikh was missing and complaint to that effect was lodged. After some time a dead body of a person who was alleged to 45 years of age was found. Prosecution case is that the applicant was last seen in the company of the

deceased and the person whose dead body was found was said to be that of missing boy.

4. The perusal of the inquest panchanama and the statement, which is of the uncle of the said boy reveals that the age of the complainant's son was 18 years, whereas the dead body of a person who is 45 years of age was found. In my view, this is clear discrepancy regarding identity of the person who was missing. Therefore, applicant is entitled to be released on bail and he be released on bail of Rs. 5000/- with one or two sureties in the like amount.

4. The applicant shall report to Dehu Road Police Station once in a month.

[V.M. KANADE, J.]